

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

ORANGE UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2013070594

ORDER GRANTING STUDENT'S
MOTION TO AMEND COMPLAINT

On July 12, 2013, Parent on behalf of Student filed a Due Process Hearing Request (complaint), naming Orange Unified School District (District). On July 31, 2013, Student filed a First Amended Complaint (amended complaint). On August 1, 2013, the District filed a Notice of Non-opposition to the amended complaint.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. § 1415(c)(2)(E)(i).)¹ The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. § 1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All previously scheduled mediation and hearing dates are vacated. The 45-day timeline shall commence with the filing of this order. OAH shall issue a Scheduling Order with new dates for mediation, prehearing conference, and hearing.

IT IS SO ORDERED.

Dated: August 06, 2013

/s/

JUDITH PASEWARK
Administrative Law Judge
Office of Administrative Hearings

¹ All statutory citations are to Title 20 United States Code unless otherwise indicated.